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A-R - Mr. Panuch

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German Immigration

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REVIEWED BY *Jack* DATE *June 20, 1946*

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I think your attention should be called to the need for a formulation of policy with respect to the issuance of visas, immigrant and non-immigrant, to Germans. As a result of my work with the Joint Intelligence Objectives Agency, which deals with proposals to bring in German scientists and technicians as immigrants under the sponsorship of the Army and Navy, I have become convinced that there is a grave danger of embarrassment to the Department and to the Government, nationally and internationally, in the present uncoordinated handling of this problem.

The factors involved appear in the main to be the following:

1. This Government has made international commitments with other American Republics and has asserted similar doctrines in dealings with such countries as Spain, Portugal, Sweden, and even China, looking toward the repatriation or strict control of Germans outside of Germany who might engage in conspiracies and other activities for the rebuilding of German war potential and aggressive movements. We have, however, in this respect neglected to practice in our own country what we preach to others.

2. In the administration of Germany we have, in agreement with the other occupying powers, prohibited certain types of research and activities, scientific, economic and cultural, to go on in Germany. Immigration from Germany to the United States, if it is uncontrolled, is likely to involve an evasion and frustration of the Allied Control Council's work.

3. There is now pending in Congress a bill known as the Gossett bill which would prohibit the entry by members of the Nazi and Fascist Parties except under limited circumstances. It is indicated that the Visa Division will construe that statute to imply that all persons not members of the Nazi Party, etc. should be allowed entry. There is obviously a gap between such a construction and our policies.

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4. The Army and Navy program for importation of scientists and technicians (that is, classes of persons whose activities are under specific controls in Germany because of their dangerous characteristics and whom we are trying to keep out of such countries as Argentina and Spain) can be under some control since this Department is represented in policy decisions--assuming that the Visa Division continues to be governed in the issuance of visas by the policy developed in this project. However, there is another project of the Commerce Department covering the same people in which we have no policy participation apart from the underlying SWNCC general directive permitting the program. If applications are made under the Commerce program, it is not at all clear how the Visa Division will be governed with respect to such important items as the scope of investigation in Germany, the imposition of security controls in the United States, etc.

Most important of all, however, is the fact that it is indicated that after the Gossett bill is passed applications will be considered by the Visa Division of individual Germans--scientists and non-scientists--whose cases will be handled on an individual basis and who may therefore be free to enter the United States without the hindrance of the special controls being set up for the two SWNCC programs.

6. In these latter cases, we may not only have unlimited entry but there is also a lack of coordination between the Visa Division and the Immigration authorities, so far as I can gather, with respect to persons seeking entry on a non-immigrant basis. Since the Immigration authorities will not have participated in any field investigation, the burden of not permitting undesirable people to enter the country would fall on the consuls. But the consuls so far as I can gather tend to issue temporary visas on the assumption that the buck is being passed to the Immigration authorities.

7. Within the Department a Committee dealt with the original SWNCC directive. The underlying policies of an international character are quite clear and therefore that Committee's services are not needed--what is now needed is the formulation of policy within the Office of Controls. In this respect, attention is called to the fact that letters requesting various forms

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of action have been passing through Assistant Secretary Hildring's office as well as through Controls, Visa Division, and CE (so far as I can gather).

Mr. Saxton Bradford of FC has been most concerned with the policy aspects of this problem. I would suggest the advisability of having the Office of Controls formulate for your consideration, based on all the existing policy commitments of the Department, the correspondence coming in, the practices of the Visa Division, the investigation of facilities in Germany, etc., a procedure for handling of cases of German visa applicants, whether immigrant or non-immigrant. I should be glad to be of assistance.

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